

JAN 09 2006

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

27

Application Number 10/728,508

Filing Date DECEMBER 5, 2003

First Named Inventor POPESCU, et al.

Art Unit 1615

Examiner Name R. KOSSON

Attorney Docket Number 02.36US

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
(1 page - 2 copies)
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/
Incomplete Application
- ☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation
Change of Correspondence Address
- ☐ Terminal Disclaimer
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- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify
below):
- IDS Form PTO/SB/08A & 08B - (2 pages)
- Total of 5 Cited References:
- 1 US Non-Patent Cited Ref. (18 pages)
 - 4 Foreign Cited Refs. (4 pages)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name ESTEE-LAUDER COMPANIES

Signature

Printed name PETER GIANCANA

Date

JAN 9, 2006

Reg. No.

44.706

CERTIFICATE OF TRANSMISSION/MAILING

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VICTORIA T. PALUMBO

Date

1-9-06

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JAN 09 2006

Attorney Docket No.: 02.36US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Inventor: POPESCU, et al.

Serial No.: 10/728,508

Group Art Unit: 1651

Filed: DECEMBER 5, 2003

Examiner: R. KOSSON

For: METHOD OF CURL RETENTION IN HAIR AND LASHES

Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicant submits herewith references which he believes may be material to the examination of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Information Disclosure Statement shall not be construed as a representation that no other material references exist or that a search has been conducted.

The references are listed on the enclosed Form PTO/SB/08A and SB/08B (substitute for Form 1449/PTO) which is in accordance with the requirements of M.P.E.P. 609.

It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the undersigned if there are any questions concerning this paper or the attached references.

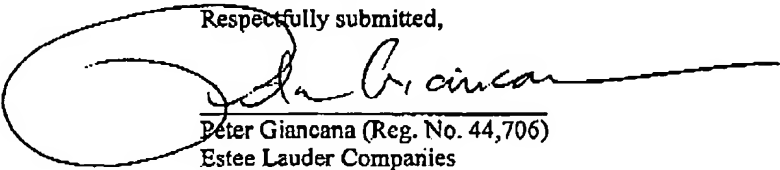
Each item of information in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

A Final Office action was mailed by the Office on September 8, 2005.

Please charge to Deposit Account No. 05-1320, the fee due under 37 C.F.R. 1.17(p). A copy of this sheet is enclosed.

Date: JAN 08, 2006

Respectfully submitted,


Peter Giancana (Reg. No. 44,706)
Estee Lauder Companies
155 Pinelawn Road
Suite 345 South
Melville, NY 11747

JAN 09 2006

Attorney Docket No.: 02.36US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Inventor: POPESCU, et al.

Serial No.: 10/728,508

Group Art Unit: 1651

Filed: DECEMBER 5, 2003

Examiner: R. KOSSON

For: METHOD OF CURL RETENTION IN HAIR AND LASHES**Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(d)**Commissioner for Patents
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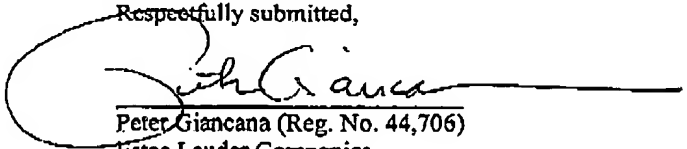
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Respectfully submitted,


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PTO/SB/08A (07-05)

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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number	10/728,508
Filing Date	DECEMBER 5, 2003
First Named Inventor	POPESCU, et al.
Art Unit	1651
Examiner Name	R. KOSSON
Attorney Docket Number	02.36US

Sheet	1	of	2
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U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ⁵ *Number ⁴ *Kind Code ³ (If known)	MM-DD-YYYY			
		JP 03 213574	09-18-1991			
		JP 03 095109	04-19-1991			
		JP 09 110647	04-28-1997			
		JP 03 083908	04-09-1991			

Examiner Signature		Date Considered	
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JAN 09 2006

PTO/SB/08B (07-05)

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	10/728,508		
		Filing Date	DECEMBER 5, 2003		
		First Named Inventor	POPESCU, et al.		
		Art Unit	1615		
		Examiner Name	R. KOSSON		
Sheet	2	of	2	Attorney Docket Number	02.36US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Gardner, et al.: "An investigation into the action of transglutaminase on human hair", J. Doc. Cosmet. Chem., Vol. 46, January/February 1995, pgs 11-28. XP000929527	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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